

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CINDY LYNN COBURN,)	CASE NO. 18CV668
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	
COMMISSIONER OF SOCIAL)	ORDER ADOPTING REPORT AND
SECURITY,)	RECOMMENDATION
)	
Defendant.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Jonathan D. Greenberg. The Report and Recommendation, ECF #5, issued on April 9, 2018, is hereby ADOPTED by this Court.

On March 23, 2018, Plaintiff, Cindy Lynn Coburn ("Ms. Coburn"), filed a Complaint challenging the final decision of the Commissioner denying her application for social security benefits. (ECF #1). Ms. Coburn filed a motion to proceed *in forma pauperis* ("IFP") on the same day. (ECF #3).

This Court may authorize Ms. Coburn to proceed with her lawsuit without prepayment of fees or security, if she shows she is unable to pay for such fees or give such security, pursuant to 28 U.S.C. § 1915(a)(1). It is within the Court's discretion to determine whether the court costs can be paid without undue hardship. *See Ciavarella v. Comm'r of Soc. Sec.*, 2013 WL 5354091 at *1 (N.D.Ohio Sept. 24, 2013). Magistrate Judge Greenberg found that Ms. Coburn reported "a significant amount of monthly discretionary spending" on items like recreation, entertainment and clothing. (ECF #5, p. 3). Magistrate Judge Greenberg recommends denying the Motion to Proceed IFP, stating that Ms. Coburn should "weigh the financial constraints posed by pursuing her Complaint against the merits of her claims." (Id. at p. 4)(citation omitted).

Ms. Coburn indicated that she would not file an Objection to Report and Recommendation and would pay the filing fee. (ECF #6).

This Court has reviewed de novo the Report and Recommendation, *see Ohio Citizen Action v. City of Seven Hills*, 35 F. Supp. 2d 575, 577 (N.D. Ohio 1999), and hereby ADOPTS the Report and Recommendation in its entirety.

IT IS SO ORDERED.


DONALD C. NUGENT
United States District Court

Date: May 9, 2018